



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

JOHN BROWSE ET AL.

CASE NO.: BB1036-B

APPLICATION NO.: 09/219,935

GROUP ART UNIT: 1649

FILED: DECEMBER 23, 1998

EXAMINER: E. MCELWAIN

FOR: FATTY ACID DESATURASE GENES FROM
PLANTS

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RESPONSE AFTER FINAL SUBMITTED PURSUANT TO
TRANSITIONAL PROVISION 37 CFR §1.129Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is submitted in response to the Office Action dated August 29, 2000 finally rejecting claims 1, 21-24 and 26-28 of the subject application. This response is accompanied by a petition to withdraw the finality of the final rejection pursuant to 37 CFR §1.129(a). Reconsideration is respectfully requested and the following is submitted in support thereof.

In the Claims

Kindly amend the following claims:

1. (twice amended) An isolated nucleic acid fragment comprising a nucleic acid sequence selected from the group consisting of (a) a nucleic acid sequence encoding a [fatty acid desaturase or a fatty acid desaturase-related] plant plastid or microsomal enzyme which catalyzes the formation of a double bond between carbon positions 3 and 4 numbered from the methyl end of a fatty acyl chain wherein said enzyme has [with] an amino acid identity of 50% or greater to the polypeptide encoded by SEQ ID NOS:2, 5, 7, 9, 11, 13, 15 or 17 or (b) a nucleic acid sequence or part thereof which is useful in antisense inhibition or sense suppression of endogenous desaturase activity in a transformed plant wherein the nucleic acid sequence encodes a polypeptide with an amino acid identity of 50% or greater to the polypeptide encoded by SEQ ID NOS:2, 5, 7, 9, 11, 13, 15 or 17 or part thereof.

1
Seq
ID
NOS
are
amended